



ARTISTS UNITE

FOR FAIR COPYRIGHT
CAMPAIGN



A campaign born out of workshops, led by ReCreate members & legacy artists, that has included creatives and communities from around SA.

In 2021, on Human Rights Day, Artists Unit e supported BlindSA's demonstration at the Union Buildings, with performances & speeches from young and legacy performers.

In 2022, Marah Louw bravely spoke about her exploitation in the industry at DTI's public hearing, and called for urgent reform.

WE BELIEVE

- Artists and communities can and should be united for Fair Copyright & Fair Royalties
- Historically musicians, actors & other creatives have been exploited. This entrenched system persists and urgently needs to be reformed
- Collecting societies need to be regulated
- Actors should be paid royalties for productions they help carry with their talent
- Artists should have the right and recourse to renegotiate unfair contracts
- There needs to be a progressive balance between info & culture sharing & access, and protection for copyright owners
- This can be done in a way that improves protection of artists & copyright owners

WE BELIEVE

The CAB & PPAB does all of this and more.

Copyright reform is a state emergency, and these Bills should be urgently passed.

We should not be held ransom by major corporations that wish to continue a legacy of exploitation in Africa.

Most concerns that stakeholders are raising, should be addressed in the guidelines & regulations.

Demystifying Fair Use right: Section 12A in the CAB

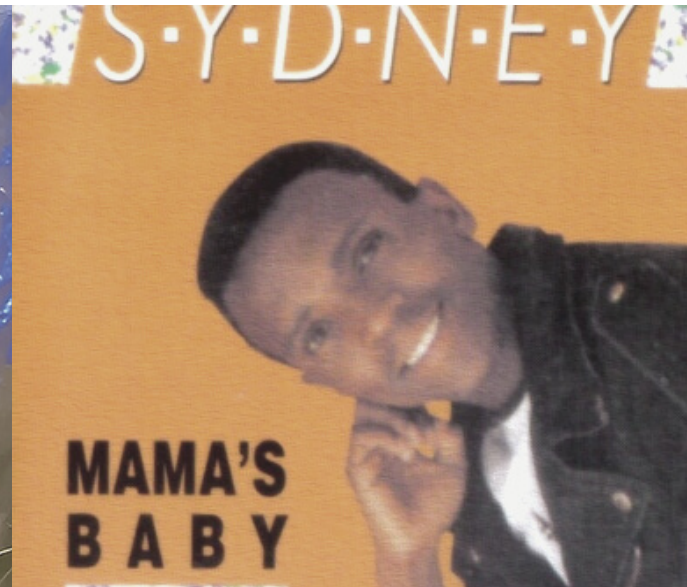
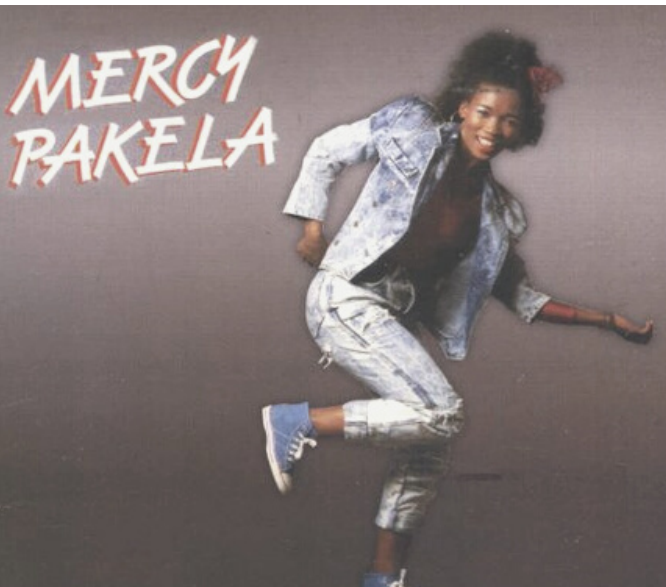
- 4 conditional criteria or factors, which determine if an act is fair or not fair. Not every reproduction is Fair Use.
- Piracy is NOT allowed through fair use
- These factors will provide certainty and predictability which our existing fair dealing regime lacks.
- The US boasts the largest and wealthiest publishing, entertainment, and IT industries in the world. Makes trillions off IP yet US companies don't want SA to have fair use?
- Fair Use & various exceptions enable South Africa to embrace Fourth Revolution (4IR) technologies, while balancing ownership rights. ADAPTABILITY!!!

We support the proposed amendments in S.22B-D and S.28S that will protect and enhance the rights of creators, authors, musicians, photographers, and others. The Bill will empower them to have more control over their works and benefit more from their works. S.22(3) provides them with an assignment period of 25 years, which they can either renew or exploit on their own in the future. They can benefit from improved contracts and contractual protection in S.12D(7)(3), S.22D and S.39B. S.20(1)-(2) will give creators and others better protection of their moral rights and S.12A-D will increase access to others' works.

The Bill will enable visual artists to benefit from a resale right in S.7A-F. The Bill's intrinsic link to the Performers' Protection Bill will give actors and performers certain protections, and for the first time, the right to earn fair royalties in S.22B-D.

MUSIC LEGENDS

SOUTH AFRICA



MERCY PAKELA, ALEC KHAOLI & SYDNEY MOGPODI